

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1138 be amended to read as follows:

- 1 Page 12, between lines 26 and 27, begin a new paragraph and insert:
- 2 "SECTION 17. IC 13-21-3-5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY, 1, 2002]: Sec. 5. (a) Except as
- 4 provided in subsections (b) through (d), the board of a county district
- 5 consists of the following members:
- 6 (1) Two (2) members appointed by the county executive from the
- 7 membership of the county executive.
- 8 (2) One (1) member appointed by the county fiscal body from the
- 9 membership of the fiscal body.
- 10 (3) One (1) member:
- 11 (A) who is the executive, **or a duly appointed proxy of the**
- 12 **executive**, of the municipality having the largest population in
- 13 the county if that municipality is a city; or
- 14 (B) appointed from the membership of the legislative body of
- 15 a town if the town is the municipality having the largest
- 16 population in the county.
- 17 (4) One (1) member of the legislative body of the municipality
- 18 with the largest population in the county appointed by the
- 19 legislative body of that municipality.
- 20 (5) One (1) member:
- 21 (A) who is the executive of a city in the county that is not the
- 22 municipality having the largest population in the county; or
- 23 (B) who is a member of the legislative body of a town that is
- 24 not the municipality having the largest population in the
- 25 county;
- 26 and who is appointed by the executive of that county to represent
- 27 the municipalities in the county other than the municipality
- 28 having the largest population.
- 29 (6) One (1) additional member appointed by the county executive
- 30 from the membership of the county executive.
- 31 (b) If a county having a population of more than four hundred
- 32 thousand (400,000) but less than seven hundred thousand (700,000) is

1 designated as a county district, the executives of the three (3) cities in
2 the county having the largest populations each serve as a member of
3 the board or may appoint a member of the legislative body of their city
4 to serve as a member of the board. If a county having a population of
5 more than two hundred thousand (200,000) but less than three hundred
6 thousand (300,000) is designated as a county district, the executives of
7 the two (2) cities in the county having the largest populations each
8 serve as a member of the board. If a county having a population of
9 more than two hundred thousand (200,000) but less than three hundred
10 thousand (300,000) is designated as a county district, the board of that
11 county district must include the following:

12 (1) One (1) member of the legislative body of the city having the
13 second largest population in the county, appointed by the
14 president of the city legislative body.

15 (2) One (1) member of the legislative body of a town located in
16 the county, appointed by the judge of the circuit court in the
17 county.

18 (c) If a county having a consolidated city is designated a county
19 district, the board of public works established under IC 36-3-5-6
20 constitutes the board of the county district.

21 (d) If a county designated as a county district has a population of
22 more than four hundred thousand (400,000) but less than seven
23 hundred thousand (700,000), the board of the district consists of the
24 following members:

25 (1) One (1) member appointed by the county executive from the
26 membership of the county executive.

27 (2) Two (2) members appointed from the county fiscal body
28 appointed from the membership of the county fiscal body.

29 (3) The executive of each second or third class city or a member
30 of the legislative body of their city appointed by the executive.

31 (4) One (1) member of the legislative body of each town
32 appointed by the legislative body.

33 (5) One (1) member of the legislative body of the municipality
34 with the largest population in the county appointed by the
35 legislative body of that municipality.

36 (6) If a local government unit in the county has an operating final
37 disposal facility located within the unit's jurisdiction, one (1)
38 member of the unit's board of public works appointed by the
39 board of public works."

40 Page 13, between lines 18 and 19, begin a new paragraph and insert:

41 "SECTION 21. IC 36-7-13-3 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. (a) For purposes of
43 this chapter, "improve" means to construct, reconstruct, or repair public
44 ways, sidewalks, sewers, drains, fences, or buildings, and to do all other
45 things that would enhance the value of real property and make it more
46 suitable to industrial use.

47 (b) A unit may acquire by purchase, gift, or devise, and own,
48 improve, maintain, sell, lease, convey, contract for, or otherwise deal
49 in, real property for the development of industrial parks or industrial
50 sites.

51 (c) A municipality may exercise powers granted by subsection (b)

1 in areas within five (5) miles outside its corporate boundaries.

2 **(d) When a district is designated under section 12(e) of this**
3 **chapter, the unit may expend funds for the purposes set forth in**
4 **subsections (a) and (b) for the development of or to enhance the**
5 **value of real property used for retail purposes."**

6 Renumber all SECTIONS consecutively.

(Reference is to EHB 1138 as printed February 22, 2002.)

Senator LONG